

Article - Estates and Trusts

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§5–207.

(a) (1) Regardless of whether a petition for probate has been filed, a verified petition to caveat a will may be filed at any time before the expiration of 6 months following the first appointment of a personal representative under a will, even if there be a subsequent judicial probate or appointment of a personal representative.

(2) If a different will is offered subsequently for probate, a petition to caveat the later offered will may be filed at a time within the later to occur of:

(i) 3 months after the later probate; or

(ii) 6 months after the first appointment of a personal representative of a probated will.

(b) (1) If the petition to caveat is filed before the filing of a petition for probate, or after administrative probate, it has the effect of a request for judicial probate.

(2) If the petition to caveat is filed after judicial probate the matter shall be reopened and a new proceeding held as if only administrative probate had previously been determined.

(3) In either case described in paragraphs (1) and (2) of this subsection, the provisions of Subtitle 4 of this title apply.

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